

CORRECTED PAGE

D.P.U. 95-124

Assessments applied to selected utility companies owning or having entitlements to electric power from certain nuclear generating facilities inside and outside of Massachusetts for the purpose of reimbursing the Commonwealth for expenditures incurred by the Massachusetts Emergency Management Agency related to such facilities pursuant to Section 2 of Chapter 38 of the Acts of 1995.

Massachusetts Emergency Management Agency
Nuclear Safety Preparedness Program
for Fiscal Year 1996

(Appropriation Item Nos. 8800-0100, 8800-0200)

On November 27, 1995, the Massachusetts Emergency Management Agency pursuant to Section 2 of Chapter 38 of the Acts of 1995 requested that the Department of Public Utilities ("Department") establish an apportionment and make an assessment against nuclear regulatory commission licensees operating nuclear power generating facilities located inside the Commonwealth as well as electric companies in the Commonwealth which own, in whole or in part, or purchase power from, nuclear power plants outside of the Commonwealth but within ten miles of Massachusetts cities or towns. On December 30, 1994, the Department made similar assessments for Fiscal year 1995 totalling \$681,019 to fund expenditures required by Section 2 of Chapter 110 of the Acts of 1993. See D.P.U. 94-179. Because the Pilgrim Nuclear Power

Station is the only nuclear power station generating electricity in the Commonwealth, Boston Edison Company, by letter dated March 14, 1996, has agreed to be responsible for the entire assessment of \$395,745 for nuclear power plants in Massachusetts, pursuant to Item 8800-0100 of Section 2 of Chapter 38 of the Acts of 1995.

In D.P.U. 94-179, 93-195 and 92-224, the Department determined that an equitable method of allocating for nuclear power plants located outside the Commonwealth but within ten miles of Massachusetts cities or towns was on the basis of the entitlement of Massachusetts utilities to power from the Seabrook and Vermont Yankee nuclear power plants. For the purpose of this assessment the same method will be followed. Further, consistent with previous orders, the Department is using entitlements as of December 31, 1994 as a basis for the assessment.

The Department determines that the following companies shall be assessed on each of their respective shares of the combined entitlement of both Seabrook and Vermont Yankee.

Therefore, the Department makes the following assessments:

<u>Name of Company</u>	<u>Nuclear MW Entitlement</u>	<u>Percent of Share</u>	<u>Assessments</u>
Commonwealth Energy System P.O. Box 9150 One Main Street Cambridge, MA 02142	77.20	22.776	59,657.79
New England Power Co. 25 Research Drive Westborough, MA 01581	205.142	60.524	158,527.48
Western Massachusetts Electric Co. P.O. Box 270 Hartford, CT 06141-0270	11.57	3.413	8940.94
Montaup Electric Co. P.O. Box 541 730 West Center Street West Bridgewater, MA 02379	<u>45.03</u>	<u>13.285</u>	<u>34,797.80</u>
Totals	<u>338.942</u>	<u>100%</u>	<u>261,924.00</u>

Accordingly, it is

VOTED: That an assessment in the amount of \$395,745 against Boston Edison Company is hereby made to provide for the reimbursement to the General Fund of the Commonwealth for appropriations made by the General Court for Fiscal Year 1996 to fund state measures pertaining to nuclear safety emergency preparedness for nuclear generating plants in the Commonwealth; and it is

FURTHER VOTED: That an assessment totalling \$261,924 is hereby made to provide for the reimbursement to the General Fund of the Commonwealth for the appropriations made by

the General Court for Fiscal Year 1996 to fund state measures pertaining to nuclear safety emergency preparedness of nuclear generating plants operating outside Massachusetts but within ten miles of Massachusetts' cities and towns; and it is

ORDERED: That the companies listed herein be assessed in the amounts indicated.

By Order of the Department,

John B. Howe, Chairman

Mary Clark Webster, Commissioner

Appeal as to matters of law from any final decision, order or ruling of the Commission may be taken to the Supreme Judicial Court by an aggrieved party in interest by the filing of a written petition praying that the Order of the Commission be modified or set aside in whole or in part.

Such petition for appeal shall be filed with the Secretary of the Commission within twenty days after the date of service of the decision, order or ruling of the Commission, or within such further time as the Commission may allow upon request filed prior to the expiration of twenty days after the date of service of said decision, order or ruling. Within ten days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court sitting in Suffolk County by filing a copy thereof with the Clerk of said Court. (Sec. 5, Chapter 25, G.L. Ter. Ed., as most recently amended by Chapter 485 of the Acts of 1971).